

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 561 be amended to read as follows:

- 1 Page 3, between lines 2 and 3, begin a new paragraph and insert:
- 2 **(23) An emergency rule adopted by the office of the**
- 3 **secretary of family and social services to implement a**
- 4 **Medicaid waiver for adult foster care, assisted living, or**
- 5 **adult day care services.**
- 6 Page 4, between lines 10 and 11, begin a new paragraph and insert:
- 7 SECTION 2. P.L. 100-2000, SECTION 1, IS AMENDED TO
- 8 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: (a) The office of
- 9 the secretary of family and social services shall develop and submit to the
- 10 federal Health Care Financing Administration proposals to do the following:
- 11 (1) Fund adult foster care and assisted living services
- 12 through the Medicaid waiver program.
- 13 (2) Expand adult day care services available through the
- 14 aged and disabled Medicaid waiver.
- 15 (b) The proposals under subsection (a) must be reviewed by the
- 16 community and home options to institutional care for the elderly and
- 17 disabled (CHOICE) board established under IC 12-10-11 before the
- 18 proposals are submitted to the federal Health Care Financing Administration
- 19 regarding the following:
- 20 (1) The definitions of adult foster care and assisted living.
- 21 (2) The number of individuals to be served by
- 22 each waiver.
- 23 (3) The schedule of services to be delivered to individuals
- 24 served by each waiver.
- 25 (4) Consumer eligibility standards established for each
- 26 waiver.
- 27 (5) The means for expanding adult day care services.
- 28 (6) The number of individuals to be served by expanded
- 29 adult day care services.

1 (7) Administrative oversight standards for each waiver  
2 described in this SECTION.

3 (c) The office of the secretary of family and social services must  
4 receive input from affected providers and consumers when drafting the  
5 language of applications for Medicaid waivers described in this SECTION.

6 (d) The office of the secretary of family and social services may  
7 submit the proposals described in this SECTION to the federal Health Care  
8 Financing Administration as amendments to existing waivers.

9 (e) The proposals described in this SECTION must be submitted  
10 to the federal Health Care Financing Administration before October 1, 2000.

11 (f) The office of the secretary of family and social services shall  
12 report to the legislative council, the governor, and the CHOICE board  
13 before January 1, 2001, regarding implementation of the provisions of this  
14 SECTION.

15 (g) **The office of the secretary of family and social services may**  
16 **not implement a waiver until the office files an affidavit with the**  
17 **governor attesting that the federal waiver applied for under this**  
18 **SECTION is in effect. The office shall file the affidavit under this**  
19 **subsection not later than five (5) days after the office is notified that the**  
20 **waiver is approved.**

21 (h) **If the office of the secretary of family and social services**  
22 **receives a waiver under this SECTION from the federal Health Care**  
23 **Financing Administration and the governor receives the affidavit filed**  
24 **under subsection (g), the office shall implement the waiver not more**  
25 **than sixty (60) days after the governor receives the affidavit.**

26 (i) **The office of the secretary of family and social services shall**  
27 **adopt standards that an entity must meet in order to provide services**  
28 **under a waiver required by this SECTION.**

29 (j) **The office of the secretary of family and social services shall**  
30 **approve an entity that meets the standards described in subsection (i).**

31 (k) **The office of the secretary of family and social services**  
32 **shall adopt rules under IC 4-22-2 to implement the waiver required by**  
33 **this SECTION.**

34 (l) **The office of the secretary of family and social services may**  
35 **adopt emergency rules under IC 4-22-2-37.1 to implement the waiver**  
36 **required under this SECTION on an emergency basis.**

37 (m) **This SECTION expires January 1, ~~2002~~ 2006.**  
38 **SECTION 3. An emergency is declared for this act.**  
39 **Renumber all SECTIONS consecutively.**  
**(Reference is to ESB 561 as reprinted April 10, 2001.)**

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Representative CRAWFORD